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DBI EXHIBIT 1

Dixie Broadcasting, Inc.

Statement of J. Mack Bramlett

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DBI EXHIBIT 1

Federal Communications Commission	
Docket No	92-207
Presented by	DIXIE
Disposition	Accepted 2/17
	Revised 2/17
	Rejected
Reporter	BARBARA LOKA
Date	2/17/93

STATEMENT OF J. MACK BRAMLETT

THE ATTACHED STATEMENT
IS BEING PROVIDED UNDER PENALTY OF PERJURY

DATE

J. MACK BRAMLETT

STATEMENT OF J. MACK BRAMLETT

J. Mack Bramlett hereby states under penalty of perjury as follows:

1. I began working at Stations WHOS(AM) and WDRM(FM), Decatur, Alabama (the "Stations"), in 1962, when I took my first job out of school as the Stations' Chief Engineer. Since 1976, I have been the full time General Manager of the Stations, and vice president, director and 10% voting stockholder of Dixie Broadcasting, Inc. ("DBI"), the licensee of the Stations. As such, I have had supervisory responsibility over all facets of the Stations' day-to-day operations, including hiring and firing, programming, engineering, sales and compliance with the rules and regulations of the Federal Communications Commission ("FCC" or "Commission"), including those pertaining to equal employment opportunity ("EEO"). During the period 1982 to February 1989 (the "License Period"), I oversaw the operation of the Stations myself; during most of this period there were no separate department heads, other than a sales manager and nighttime program manager, Nat Tate, Sr., in 1982 and 1983, and a national sales manager, Mark Goodwin, starting in the fall of 1986. I devoted most of my waking hours to this task and rarely took vacations.

2. My wife, Rebecca B. Bramlett, worked at the Stations from 1978 until 1983 on a part-time basis, and from 1983 until June 1991 on a full-time basis, as my assistant, performing bookkeeping and payroll duties, aiding in the preparation of the

Stations' annual employment reports and renewal applications and otherwise helping me as requested. My son Timothy also worked at the Stations as a full time announcer from August 1986 through

Huntsville Times, University of Alabama, Alabama A & M College, National Career College, Manpower, Inc., local Black leaders and employee referrals. I believed that my efforts, coupled with the results they produced, satisfied DBI's EEO obligations.

5. DBI did not maintain complete records of the Stations' recruitment efforts. We did retain certain job applications of minorities (Al Burton, Gwendolyn Stephenson, and Renita Jammarr, among others) and applications for certain positions at the Stations, mostly sales related, with respect to the period 1986 to 1988. Copies of these applications are attached as Attachment 1. As a rule, job applications were kept for six to 12 months and then discarded and, with a few exceptions, no written record was maintained as to the race of job applicants.

6. In the early part of the License Period, from 1982 to the beginning of 1986, WDRM(FM) (the "FM Station") had a small coverage area serving a population of approximately 90,000 in Decatur and Morgan County. It was not a desirable place to work, especially for experienced radio people, because we weren't making any money. Decatur and Huntsville, a larger municipality approximately 25 miles away, were two different markets. The going hourly rate for employees at radio stations was approximately \$3.25 in Decatur and approximately \$4.00 in Huntsville.

7. In 1982-1983, the FM Station operated with an urban format; in 1983 we switched to a country format. During the period 1982 to 1986, most job openings for on-air positions at

the Stations presented a crisis situation. Openings needed to be filled immediately because DBI was unable to maintain a staff large enough to fill vacancies while a search was conducted for a replacement. When an announcer left the station, a warm body was needed immediately to fill his next shift. Replacements were usually found from an ever changing group of people who regularly contacted the Stations to ascertain whether there were any job openings or I would just grab someone off the street. In either case, due to the nature of the Stations, and the minimal wages we could afford to pay, the replacement was usually inexperienced in radio or announcing; someone who just wanted to try it out. Such a situation sometimes resulted in the replacement leaving on his own accord in short order when it became apparent he or she was unable to do the job. Many of these replacements were hired on a temporary fill-in basis. Based upon my review of the Stations' filing with the FCC on February 11, 1992, from the period 1982 through the end of 1985, 23 of the "fill in" hires were for announcer positions and 7 of the "probationary" hires were for announcer positions. On occasion in the early part of the License Period newspaper advertisements were run announcing job openings, but this was the exception rather than the rule.

8. Recruitment of salespersons and other staff persons, other than announcers, during this period was mostly accomplished through networking and station personnel, although newspaper advertisements and other notices were used as well. I sought out minorities from the minority community based on networking

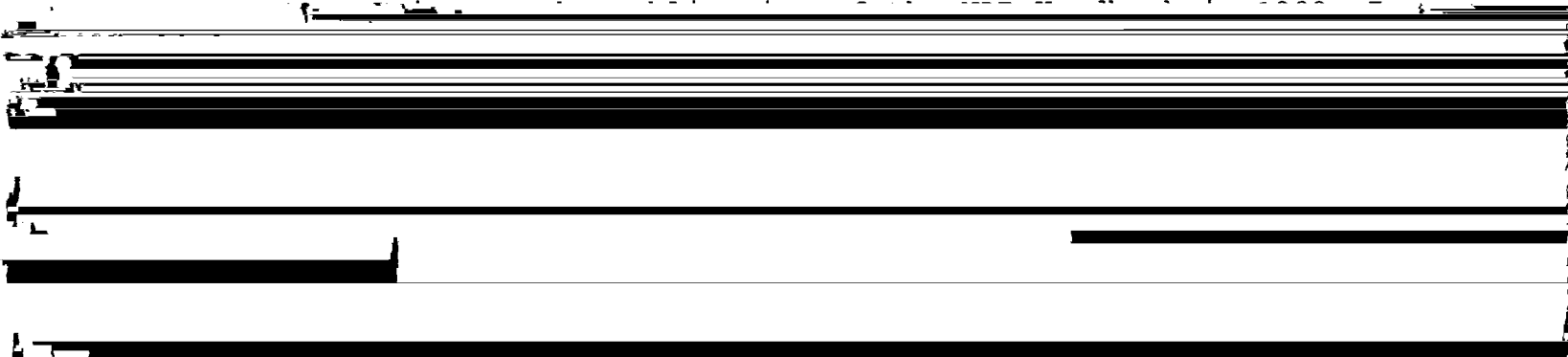
efforts and my personal knowledge. In 1982 I hired Nathan Tate, Sr., a Black male who was a friend of mine and well known in the local Black community, as the FM Station's sales manager and nighttime program manager. When Mr. Tate was preparing to leave the Stations in 1983, I offered him the General Manager's position, which he declined. During Mr. Tate's tenure at the Stations, word of job openings was circulated by him throughout the Black community. Mr. Tate referred Bruce E. Hill in 1982 and Willie Acklin in 1983, each of whom were Black males hired by the Stations.

9. I believe the Stations' EEO program improved beginning in 1986. The impetus for this improvement was an upgrade of the FM Station's facilities and a relocation of its transmitter site closer to Huntsville in January 1986. As a result of this move, the FM Station's signal covered three counties and approximately 350,000 people and the FM Station became better known and a more desirable place to work. As a result of the FM Station's expanded coverage area and new-found appeal, job advertisements were placed in Huntsville newspapers for the first time, including a local Black publication, job announcements were sent to Alabama A&M, a Black college, and better results were obtained. Prior to this time, recruitment efforts had not as a rule extended to Huntsville because it was a different market, the Stations were not well known there and Huntsville residents were unlikely to work in Decatur.

10. Another by-product of the Stations' enhanced image was better pay and an improvement in the quality and dedication of the staff. Because existing staff or on-call fill-in workers were increasingly available to fill vacancies on a temporary basis, the Stations were better able to keep vacancies open over a longer period of time while a less hurried search was undertaken for qualified applicants -- there was time to utilize a "hiring window."

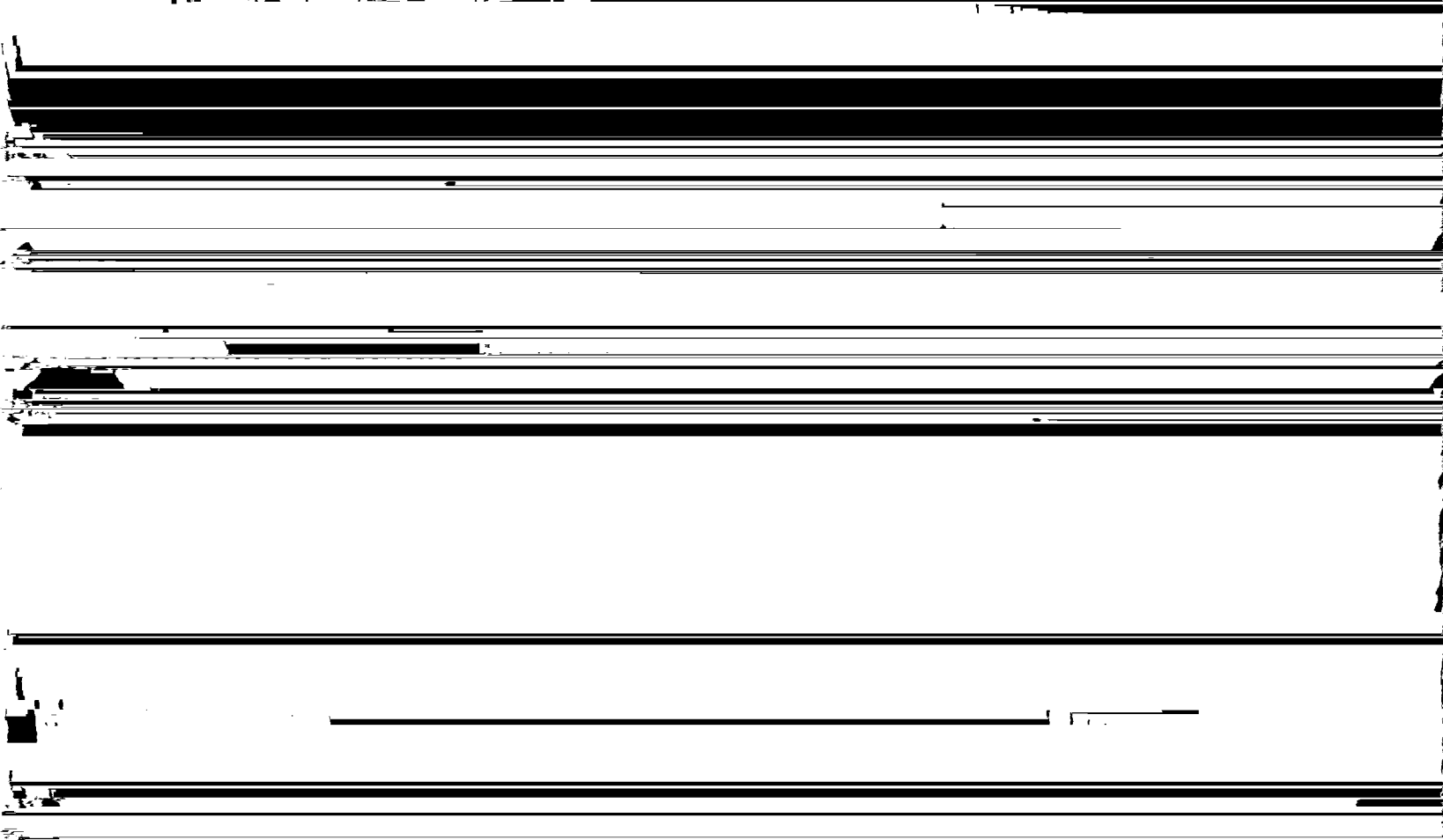
11. I evaluated the effectiveness of the Stations' EEO efforts on an ongoing informal basis throughout the License Period. I judged the effectiveness of my efforts by whether or not minority applicants were produced. I believed the Stations' EEO program was very effective during this time because of its results: DBI hired a number of Blacks in a community where, to my knowledge, few, if any, Blacks were ever hired by other non-minority stations.

12. DBI has had a formalized EEO program since 1989 modeled after "A Broadcasters EEO Handbook" published by the National Association of Broadcasters ("NAB Handbook") which I ordered when I first saw it offered. The current program is described in another exhibit. I remain ultimately responsible for the establishment and implementation of the program, but my son, Jim, is the assistant EEO officer and the Stations' national sales manager is responsible for advertising job openings.



EEO obligations. I found counsel's instructions too complicated to follow. I did not ask communications counsel, the NAB or the Alabama Broadcasters Association how to implement a more formal EEO program, nor did I attend any seminars on this topic. On or about the time of the filing of the Stations' renewal applications on December 1, 1988 (the "Renewal Applications"), I did briefly discuss with Mr. Van Horn in general terms the need to implement a more formalized program. I do not remember whether the formal program was implemented before or after the NAACP's Petition to Deny was filed on March 1, 1989.

14. Except for 1982, the Annual Employment Reports during the License Period were prepared in draft form by my wife and reviewed by me. I instructed my wife, in preparing the drafts, to review the records for the two week period covered by



transmitted them to Dan Van Horn for filing. We derived the hiring information set forth in the Form 396 from DBI's computerized payroll records, which covered station personnel from January 1, 1988, forward, and the recruitment information was based on recollection.

16. The Form 396 reflects, among other things, that there were 16 total hires during the 12-month period from November 1, 1987, to November 2, 1988 (the "Reporting Year"), and that two of these hires were for positions in the upper four job categories. Both of these figures proved to be incorrect. As noted in our Opposition to the NAACP's Petition to Deny discussed below, the number of hires during the Reporting Year was 12, not 16. In addition, as noted in DBI's February 7, 1992 filing discussed below, ten, not two, of these 12 hires were for positions in the upper-four job categories.

C. The Petition to Deny.

17. The NAACP and the National Black Media Coalition filed a Petition to Deny on March 1, 1989 (the "Petition"). I learned of the filing of the Petition from Mr. Van Horn. The Petition at page 6 urges the Commission to conduct an investigation and, if necessary, hold a hearing to determine whether DBI "discriminates against minorities or otherwise violates the EEO rule." I understood the Petition to allege that I was a racist and guilty of discrimination. I was deeply hurt and offended; this wasn't me as I have never discriminated against anyone because of race or color or anything else. In my personal life I have always

stood for equal treatment of all races. My only goal in hiring employees at the Stations has been to find people who were talented and would work regardless of whether they were white or Black.

18. I believed the Stations' EEO efforts were very effective because I never have discriminated against anyone, Blacks included, and because the Stations had employed many minorities. I set out immediately to set the record straight; i.e., to gather evidence to prove that the Stations had in the past employed many minorities during the License Period. My wife, my son, Jim, Mark Goodwin, the Stations' national sales manager since 1986, and I searched our collective recollections and the few records available to identify minority hires during the License Period. My wife and I separately devoted a substantial amount of time and effort to this issue over the next couple of days both at work and at home. Because we did not have the necessary records, the information pertaining to the period from 1982 to 1983 was based upon the recollection of my wife and me, as confirmed by Nat Tate, Sr., in his statement submitted with DBI's "Opposition to Petition to Deny" filed April 14, 1989 (the "Opposition"). The information for 1986 forward was based upon the job applications of minorities I had on file (i.e., Al Burton, Gwendolyn Stephenson and Renita Jammarr) and our recollection. A three page factual recitation was prepared with respect to the minority hires and was telecopied to Mr. Van Horn for use in connection with the preparation of the Opposition. A copy of this document

(the "Minority Information Statement") is attached hereto as Attachment 2. My sole focus in responding to the Petition and subsequent FCC inquiries was to demonstrate that I was not a racist and that the Stations were not guilty of the discrimination charge.

D. The Opposition.

19. The text of the Opposition was prepared by Arent Fox. In paragraph 3 of my Statement attached to the Opposition I stated that:

I have read the foregoing "Opposition to Petition to Deny" and all of the exhibits attached thereto and have determined that, to the best of my knowledge and belief, all of the facts contained therein concerning the employment record and affirmative action efforts of WHOS and WDRM were gathered and supplied by me and my staff and are accurate and complete.

The facts I was referring to in the foregoing statement were the facts set forth in paragraphs 4 through 17 of the Opposition. These facts were either derived from the Renewal Applications, the Stations' Annual Employment Reports or were supplied by me in the Minority Information Statement or in follow-up telephone conversations with Ms. Marshall. The portions of the Opposition titled "INTRODUCTION" and "CONCLUSION" were prepared by Arent Fox. I had no input with respect to those sections. In my mind, those sections constituted the legal argument of my attorneys based upon the facts I had provided them. I am not a lawyer. I relied upon Arent Fox to advocate my position before the FCC. At the time the Opposition was filed, my sole focus was to counter

the NAACP's allegation that DBI had discriminated against minorities.

20. In the Opposition, DBI discussed (a) its minority recruitment efforts and overall hiring record during the Reporting Year and thereafter through February 1989 (at pages 3-7), and (b) its minority recruitment efforts and minority hiring record during the balance of the License Period (at pages 7-11). In doing so, DBI corrected certain inaccuracies in earlier EEO-related FCC filings. Specifically, DBI noted that there were 12 hires during the Reporting Year, not 16 as had been reported in the Form 396. Four persons who had worked at the Stations as independent contractors, not employees, were improperly included in the "new hire" total. I discovered this mistake in the course of the preparation of the Opposition. DBI also noted that three minority employees -- Nat Tate, Bruce E. Hill and Ricky Patton -- had been omitted by oversight from the Stations' 1983 Annual Employment Report and that a fourth minority employee -- Gwendolyn Stephenson -- had been omitted from the 1987 Annual Employment Report because the Report failed to provide the requisite racial breakdown. These discrepancies were called to my attention by Ms. Marshall. I provided the explanations for the discrepancies.

E. The July 3 Letter and DBI's Response.

21. By letter dated July 3, 1989 (the "July 3 Letter"), from Glenn A. Wolfe, Chief of the FCC's EEO Branch, to me, Mr. Wolfe stated there was "insufficient information to make a

determination that efforts were undertaken to attract minority applicants whenever there were job openings" and therefore requested the following categories of information for "each position filled" during the three-year period from November 1, 1985, to November 1, 1988: "job title, 395-B job classification, the full or part-time status of the position, the date the position was filled, the referral sources contacted, the number of persons interviewed (indicating those that were minority and female), and the referral source, gender and race or national origin (e.g., Hispanic) of the successful candidate."

22. I had one brief conversation with either Mr. Van Horn or Ms. Marshall concerning the letter and DBI's response. I believe the conversation took place before I received a copy. I do not remember the specifics of the conversation, but my understanding as a result of the conversation was that the Commission was seeking information that DBI had already provided in the Opposition. When I later received the July 3 Letter, I did not focus on the specific questions in it because I had already discussed the letter with my attorney who I assumed had reviewed it carefully himself. I felt comfortable in following my counsel's advice and instructions. If I had not been represented by counsel in this matter I would have reviewed the letter carefully myself and provided the information requested. As it was, I responded to my attorney's questions to the best of my ability. I recognized for the first time when I read the Hearing

not a racist, I had not fully responded to the Commission's letter. I later learned that my counsel believed I had provided all the information available because they did not realize I was focusing solely on minority hires.

F. The March 15 Letter and DBI's Response.

23. By letter dated March 15, 1991, from Mr. Wolfe to me (the "March 15 Letter"), the FCC requested additional information concerning the Stations' EEO efforts. I recall speaking with Ms. Marshall about the March 15 Letter two or three times before I actually received a copy of it. I remember Ms. Marshall telling me that the information sought only covered the one-year period from November 1, 1987 to November 1, 1988. Ms. Marshall asked me in a general fashion whether there was any additional information with respect to that period and I said I had nothing more to add. I thought the information sought had already been provided in the Renewal Applications and the Opposition. At the time of this telephone conversation I had not yet read the March 15 Letter and Ms. Marshall did not go through the seven categories of information set forth in the Letter. I realize now, after carefully reviewing the March 15 Letter, that the Renewal Applications and the Opposition did not provide all of the information requested and that some of this information was available. The Renewal Applications and the Opposition did provide referral sources contacted, the number of total hires and the race or national origin of such hires during the Reporting Year. But the Renewal Applications and the Opposition did not

provide for each position filled the job title, the date the position was filled, the referral sources contacted or the number of persons interviewed (including minority or female status where applicable). Based upon the Stations' computer records I could have provided, for each of the 12 positions filled the job title, 395-B job classification, full or part time status and the date of hire. There was no written record, however, of the referral sources contacted or the minority status of persons interviewed for each position. In view of the more than two years that had elapsed since the Reporting Year, even if I had focused on it at the time, I would not have been confident in my ability to accurately recall recruitment information other than in a general fashion as set forth in the Opposition.

24. The balance of my conversations with Ms. Marshall with respect to the March 15 Letter focused on gathering information regarding the period commencing February 1989. By the time I received and read a copy of the March 15 Letter I had hashed and rehashed its subject matter with Ms. Marshall over the telephone and I was already gathering information, pursuant to her instructions, toward the preparation of a response. As with the July 3 Letter, I did not pay close attention to the content of the March 15 Letter because I had already discussed it several times with my attorney who had reviewed it herself.

25. DBI responded to the March 15 Letter by letter dated April 18, 1991, with attachments, from Ms. Marshall to Mr. Wolfe (the "April 18 Response"). The April 18 Response included Ms.

Marshall's cover letter and a six-page Supplemental Report (the "Supplemental Report") plus exhibits.

26. The Supplemental Report is divided into two basic parts. The first part (pages 1-3) consists of an introduction and a summary of the information set forth in the July 28 Response (i.e., the Opposition), preceded by the following statement:

In response to the instant request, the licensee has reviewed the stations' records and determined that it has nothing more to add. All of the information which is available for the 1982 through February 1989 period concerning the stations' EEO efforts was supplied in its July 28 response.

The first part of the Supplemental Report concludes with the following paragraph on page 3:

As a result of their contact with these recruitment sources, from 1982 through February 1989, the stations hired approximately 20 new employees of which 7, or 35%, were African-Americans. Therefore, the stations' efforts were very successful despite the fact that there are only 7.4% African-Americans in the local labor force. [Footnotes omitted.]

The second part of the Supplemental Report (pages 4-6) provides new information concerning the Stations' recruitment efforts and minority and non-minority hiring record with respect to the period commencing February 1989. The new information consists of a description of eight hires since February 1989, including two Black males and one Black female, along with the number of minority and non-minority referrals, the referral sources and the job classification for each position.

27. The "records" reviewed by DBI as referred to on page 1 of the Supplemental Report were the Renewal Applications, the Opposition and the minority job applications described above. I do not recall whether I physically picked up and reviewed these documents, but I did review in my mind whether there were any other documents available that would shed light on the Stations' EEO efforts.

28. I did not prepare the paragraph on page 3 of the Supplemental Report, nor did I discuss it with anyone at Arent Fox. I did not provide Ms. Marshall with this information. I would never purport to tell anybody in the radio business with a straight face that you hire 12 people in one year, 8 people in the next year and a half and only 7 people, all of whom were minorities, in the previous six years in Decatur, Alabama, or at any radio station. I know it's not true and I would never try to get anybody to believe it.

29. My Statement attached to the Supplemental Report reads in pertinent part:

I have read the foregoing Supplemental Report relative to the employment practices of Stations WHOS and WDRM and have determined that, to the best of my knowledge and belief, all of the facts contained therein concerning the employment record and affirmative action efforts of WHOS and WDRM were gathered and supplied by me and my staff and are accurate and complete.

I read the Supplemental Report and signed the Statement. In reading the Supplemental Report, however, I did not focus on the

information on page 2 and 3 of the Supplemental Report.

previously supplied in the Opposition; I focused on the new facts I provided which were set forth in pages 4 through 6. I totally missed the representation on page 3 that there had been approximately 20 new employees during the License Period. In the course of preparing the draft of the Supplemental Report with me, Ms. Marshall focused specifically on the new facts set forth in pages 4 through 6 and did not discuss the materials preceding those pages.

G. The October 15 Response.

30. Sometime on or shortly before October 10, 1991, Ms. Marshall telephoned me and said she had been asked by Hope Cooper of the FCC how there could be a difference in the 12 hires in the Reporting Year and the eight in the year and a half thereafter. I told her that employee turnover is different from one year to another. I was perplexed as to why Ms. Cooper had asked such a question, but in my mind it did relate to the one-year period addressed in the March 15 Letter and the new information for the period commencing February 1989 supplied in the April 18 Response. I recall only one call from Ms. Marshall at that time and only that one question. My response did not require a lot of concentration. In this conversation, Ms. Marshall never mentioned the number 20 and never discussed the total hires over the License Period. When I received the draft Statement prepared by Ms. Marshall on October 10, I read it and signed it. I believed that the October 10 statement was accurate and

responsive to the FCC's request based upon the Reporting Year and the year and a half thereafter.

31. By letter dated October 15, 1991, from Ms. Marshall to Mr. Wolfe (the "October 15 Response"), including a three-page Statement dated October 10, 1991, signed by me (the "October 10 Statement"), DBI responded to Ms. Cooper's telephonic inquiry. At paragraph 3 of the October 10 Statement, Ms. Cooper's request is described as follows:

Ms. Cooper has requested information concerning the number of new hires at the stations during the period 1982 through 1989 and thereafter. Specifically, Ms. Cooper is questioning why so few new hires (20) were reported for that seven-year period when the stations had as many as eight, almost one-half that number, job openings during the 15-month period from February 1989 through mid-April 1991, alone.

DBI's response to this request is set forth at paragraph 4 of the October 10 Statement, as follows:

In response to this request, the stations' staff has again reviewed the stations' records and determined that there is nothing more to add. All of the information which is available for the 1982 through April 1991 period concerning the stations' EEO efforts has been provided to the Commission in various filings, including the licensee's July 28, 1989 response to the FCC's earlier request for EEO information and the licensee's April 18, 1991 Supplement thereto. The stations' staff has determined that the variation in the number of available vacancies during the years under scrutiny can only be attributed to the turnover rate at radio broadcast stations which often varies from year to year.

32. In hindsight, it is clear to me that paragraph 3 of the October 10 Statement assumes DBI had previously reported there were 20 new hires during the License Period. I had not discussed

that point in my conversation with Ms. Marshall earlier that day. I am sure I read the Statement, but I did not concentrate and just missed that point. As I stated previously, in reviewing the Statements Ms. Marshall sent me for signature I focused directly on the facts I had just provided for inclusion in the Statement; I did not pick apart or question my attorneys' representations based on the facts I had just provided. I admit I made a terrible mistake -- the biggest mistake of my career. From the time of my receipt of the Petition to Deny until December 1991 I never thought about or discussed the total number of hires during the License Period; I focused on the Stations' EEO efforts and minority hiring because of my obsession with the fact that I was being charged with discrimination against Blacks. I would never try to convince anyone, and no one familiar with the broadcasting industry would believe, that the Stations had 12 non-minority hires in one year and seven minority hires and no non-minority hires in the balance of the License Period. This is totally unbelievable!

33. The "stations' staff" referred to in paragraph 4 of the October 10 Statement meant me. I believed, as stated in paragraph 4, that all the information available for the License Period with respect to the Stations' EEO efforts had already been provided to the FCC. By "EEO efforts" I meant minority hires and efforts to recruit minorities. It was my understanding that "the years under scrutiny" in the final sentence of paragraph 4 of the October 10 Statement referred to the years 1988 through 1991,

encompassing the Reporting Year and the multiple-month period thereafter.

34. The next discussions I recall regarding this matter were in December 1991, when Ms. Marshall and I discussed a series of telephone calls she had with Ms. Cooper concerning the Stations' Annual Employment Reports. Ms. Cooper had convinced Ms. Marshall there must have been at least 20 new hires at the



result of previous studies may be 1/ 20000 records for 1980